



## Bangladesh

### Country Reports on Human Rights Practices - [2003](#)

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Bangladesh is a parliamentary democracy, with broad powers exercised by the Prime Minister. Khaleda Zia, leader of the Bangladesh Nationalist Party (BNP), became Prime Minister (PM) following parliamentary elections in October 2001, deemed to be free and fair by international and domestic observers. The BNP formed a four-party alliance government with Jamaat-e-Islami (JI), Bangladesh Jatiya Party (BJP), and Islami Oikko Jote (IOJ). Two major parties dominate the political scene, the BNP and the Awami League (AL). Political competition is vigorous, and violence is a pervasive feature of politics. The 2001 elections, supervised by a nonparty caretaker government (CG), took place in a climate of sporadic violence and isolated irregularities. The major parties continued to boycott Parliament when in the opposition, claiming that they had little opportunity to engage substantively on legislative and national issues. The higher levels of the judiciary displayed a significant degree of independence and often ruled against the Government; however, lower judicial officers were reluctant to challenge government decisions and suffered from corruption. The Official Secrets Act of 1923 protected corrupt government officials from public scrutiny, hindering transparency and accountability at all levels.

The civilian authorities maintained effective control of the security forces. The Home Affairs Ministry controls the police and paramilitary forces, which have primary responsibility for internal security. The military, primarily the Army, is responsible for external security but also occasionally has been given domestic security responsibilities. Security forces were rarely disciplined, even for the most egregious actions. Police were often reluctant to pursue investigations against persons affiliated with the ruling party, and the Government frequently used the police for political purposes. There was widespread police corruption and lack of discipline. Members of the security forces committed numerous serious human rights abuses.

The country had a primarily agricultural and market-based economy and a population of approximately 138.4 million. The Government owned most utility companies, many transport companies, and many large manufacturing and distribution firms. The projected economic growth rate for the fiscal year was 5.2 percent, which fell short of the estimated 7 percent needed to reduce significantly the poverty that afflicts 30 percent of the population. Wages and benefits have kept pace with the relatively low rate of inflation. Economic conditions in the country were primarily impacted by a multitude of structural weaknesses the Government had not adequately addressed, and general strikes, often politically motivated, took a heavy toll on the economy. Efforts to improve governance through reform were largely unsuccessful, and often blocked by bureaucratic intransigence, vested economic interests, endemic corruption, and political polarization.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Security forces committed a number of extrajudicial killings. The police; the paramilitary organization, Bangladesh Rifles (BDR); the auxiliary organization, Ansar; and the army used unwarranted lethal force. The police often employed excessive, sometimes lethal, force in dealing with opposition demonstrators, and the police routinely employed physical and psychological torture during arrests and interrogations. Prison conditions were extremely poor and were a contributing factor in some deaths in custody. Police corruption remained a problem. Nearly all abuses went unpunished, and the climate of impunity remained a serious obstacle to ending abuse and killings. In February, Parliament adopted legislation shielding security forces from any legal consequences of their action, which included numerous abuses during the countrywide anti-crime drive from October 16, 2002, to January 9. In the few instances where charges were levied, punishment of those found guilty was predominantly administrative. Violence, often resulting in deaths, was a pervasive element in the country's politics. Supporters of different political parties, and often supporters of different factions within one party, frequently clashed with each other and with police during rallies and demonstrations. Press reports of vigilante killings by mobs were common.

There were no reports of rape in official custody during the year, but 31 cases of rape by either police or other

officials were recorded. In addition, there were credible reports that police facilitated or were involved in trafficking in women and children. Human rights groups and press reports indicated that vigilantism against women for perceived moral transgressions occurred in rural areas, often under a fatwa (a proclamation from an Islamic leader), and included punishments such as whipping. Rejected suitors, angry husbands, or those seeking revenge sometimes threw acid on a woman's face.

The Government arrested and detained persons arbitrarily, and used the Special Powers Act (SPA) and Section 54 of the Code of Criminal Procedure (CrPC), which allowed for arrest without a warrant and preventive detention. In 2002, the Government replaced the Public Safety Act (PSA), which lacked bail provisions, with the Speedy Trial Act (STA), which provided for quicker disposal of cases and bail. The lower judiciary was subject to executive influence and suffered from corruption. A large judicial case backlog existed, although wider use of mediation in civil cases quickened the administration of justice. Lengthy pretrial detention was a problem. Police searched homes without warrants, and the Government forcibly relocated illegal squatter settlements. Virtually all journalists practiced some self-censorship. Attacks on journalists and efforts to intimidate them by government officials, political party activists, and others increased. The Government limited freedom of assembly, particularly for political opponents, and on occasion, limited freedom of movement.

The Government generally permitted a wide variety of human rights groups to conduct their activities, but it brought a number of nongovernmental organizations (NGOs) under intense scrutiny. Societal discrimination against disabled persons, indigenous people, and religious minorities was a problem. The Government limited worker rights, especially in the Export Processing Zones (EPZs), which are exempt from the major labor laws, and was ineffective in enforcing those workers' rights in place. Child labor and abuse of child workers remained widespread and were serious problems. Abuse of children and child prostitution were problems. Violence and discrimination against women remained serious problems, as did trafficking in women and children for the purpose of prostitution and at times for forced labor.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

Security forces committed a number of politically motivated and extrajudicial killings. The police, the BDR, the Ansars, and the army used unwarranted lethal force.

During the year, 81 persons died as a result of the use of lethal force by the police and other security forces, and another 113 persons died in prison and police custody during the year (see Section 1.c.). Nearly all abuses went unpunished, and the resulting climate of impunity remained a serious obstacle to ending abuse and killings. In the few instances where charges were levied, punishment of those found guilty was predominantly administrative.

On February 23, the Parliament adopted legislation to shield security forces from legal consequences for all their acts during the countrywide joint security forces "Operation Clean Heart" anti-crime drive, which caused an estimated 50 deaths and involved an unknown number of torture victims. The Joint Drive Indemnity Act barred people from seeking justice through the courts for the deaths and human rights violations that occurred during the drive, which lasted from October 16, 2002 through January 9. On April 13, the High Court issued a show cause notice to the government regarding the legality of the Indemnity Act, but there were no developments at year's end.

On July 4, Gorai village (Tangail District) police arrested Mobarak Hossain and reportedly demanded payment of \$400 (taka 20,000). When his family could not pay, Mobarak's mother stated that she witnessed police beat her son in the police station. The following day, Mobarak's brothers were told that he had committed suicide by hanging. Hospital doctors found no evidence of hanging. The official autopsy report recorded the death as suicide. Three policemen were withdrawn from duty following the incident. Mobarak's wife filed a case against police officials with a magistrate's court, and a judicial inquiry was ongoing at year's end.

In a similar incident on the evening of October 23, police arrested Shumon in the Khilgaon section of Dhaka city. He was taken into police custody after allegedly attempting to commit a robbery. No charge was filed against him, and the owner of the house where the robbery supposedly took place later said he was forced by police to implicate Shumon. When Shumon's family went to the jail, the second officer in charge demanded \$500 (taka 30,000) for their son's release. Shumon's family was unable to raise the entire amount on such short notice. When they went to the jail the next morning, Shumon's parents found him lying on the floor so severely beaten he could not stand. When Shumon's father contacted the officer in charge, the officer demanded an additional \$1,700 (taka

100,000) to release Shumon on bail. The officer became angry when Shumon's father could not give him the money, and began to beat Shumon in plain view of his parents. Eventually Shumon fell unconscious and was transferred to Dhaka Medical College Hospital, where he died the next afternoon. The officer in charge was relieved of his duty, and Shumon's family filed cases against both him and the second officer. On November 4, a three-member investigation committee reported that Shumon died as a result of a mob beating, and that there was no evidence to support his parents' claim of police extortion.

In October 2002, during "Operation Clean Heart," according to a newspaper report, army personnel assaulted, tortured, and killed Abul Hossain Litu at his poultry farm. After Litu's wife filed murder charges against the army forces, a lower court ordered police to investigate the charges. The Joint Drive Indemnity Act made this case null and void. Litu's wife filed a petition with the High Court questioning the constitutionality of the act.

Violence, often resulting in deaths, was a pervasive element in the country's politics (see Sections 1.c. and 3). Supporters of different political parties, and often supporters of different factions within one party, frequently clashed with each other and with police during rallies and demonstrations. According to human rights organizations, more than 436 persons were killed and 6,281 injured in politically motivated violence throughout the year (see Sections 1.c., 1.d., and 2.a.). Unlike in previous years, there were no reports of deaths from violence related to general strikes.

After charges were filed in 2002 regarding the 1999 killing of BNP activist Sajal Chowdhury, the High Court stayed the proceedings based on a petition from the main defendant, a former AL Member of Parliament (M.P.), claiming that the Government was not seriously pursuing the case.

There were no developments in the case of the 1975 killing of Sheikh Mujibur Rahman. The appeals process was stalled because three of the 7-member appellate panel of the Supreme Court refused to hear the case, and two other judges were recused due to their participation in the hearing at the High Court level.

On December 3, the Government announced appointment of special public prosecutors to conduct the trial in the case of four of the eight persons accused of perpetrating the November 1975 killings in jail of four senior AL leaders. The appointments were made on recommendations of the Deputy Leader of the opposition in parliament.

Press reports of vigilante killings by mobs were common. On April 30, 13 alleged robbers were lynched in Mymensingh, and during the week of December 6 villagers lynched over 40 alleged bandits in the Noakhali district. Press editorials and observers commented that the increasing mob violence reflected a breakdown of law and order and a popular perception that the criminal justice system did not function.

In November, garment workers launched a protest at a factory in Narayanganj District's industrial area. Police were called to the scene and one person, Kamaluddin, was killed during the altercation. Human rights and labor organizations alleged that many more garment workers were missing and presumed dead. A local NGO found a list posted after the event in the emergency ward of a hospital noting 94 persons injured by police and private security forces. Domestic and international organizations publicly called for an investigation, but none had been initiated at year's end.

Violence along the border with India remained a problem. According to press accounts and human rights groups, border violence claimed several hundred citizen lives during the last 6 years. Domestic human rights NGOs reported that Indian border forces killed as many as 44 citizens during the year.

#### b. Disappearance

Disappearances were a problem. According to press accounts monitored by the Bangladesh Society for the Enforcement of Human Rights (BSEHR), a total of 910 people were kidnapped during the year. Some kidnapping was for profit. For example, on December 17, Bakhtiaruddin Chowdhury, a businessman in Chittagong, was abducted, and his captors demanded a ransom of \$17,125 (1 million taka). Choudhury was released within 24 hours of his abduction. According to press reports, Choudhury may have paid the ransom, but this was not possible to verify. In general, released victims were unwilling to admit to ransom payment for fear of further attack. Some abductions likely had political motives. For example, the July 24 kidnapping of BNP leader and prominent businessman Jamaluddin Choudhury from Chittagong remained unsolved. His abductors allegedly were linked to politicians and police.

The trial begun in 2002 concerning the alleged abduction and disappearance in 2000 of BNP official Nurul Islam concluded in December with Abu Taher, the main defendant, acquitted and five others given the death sentence.

There were no developments in the trial begun in 2002 concerning the disappearance of Mintoo Ghosh.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture and cruel, inhuman, or degrading punishment; however, police routinely employed physical and psychological torture as well as cruel, inhuman, and degrading treatment during arrests and interrogations. Torture may consist of threats and beatings, and the use of electric shock. According to the Bangladesh Rehabilitation Center for Trauma, there were 1,296 victims of torture and 115 deaths due to torture by security forces during the year (see Sections 1.a., 1.d., 2.a.). Victims were predominantly from the lowest end of the economic scale. The Government rarely charged, convicted or punished those responsible, and a climate of impunity allowed such police abuses to continue.

On June 16, three policemen came to the house of Babul, Purbapara Chunkutia village (Keraniganj), demanding payment of \$350 (taka 20,000). They accused him of being involved in illegal drug trade and pressed him to share his profit with them. When he denied dealing drugs, the policemen beat him. Because he attempted to escape, policemen slapped and hit Babul's pregnant wife and her father with a baton. The three policemen were given temporary administrative duty following investigation.

According to BSEHR, outside of official custody there were 31 incidents of rape by law enforcement personnel or other officials during the year. For example, press accounts reported that a policeman of Jibon Nagor police station in Chuadanga district raped Rubina Khatun on September 11. In another incident, on October 18, a soldier on leave from the East Bengal Regiment allegedly raped a 14-year-old girl from Safaisree in Gazipur district. According to press accounts, police arrested the soldier, and the case was allegedly settled without a trial by a payment to the victim's family.

In addition, after women reported that they were raped, they frequently were detained in "safe custody" (in reality, confined in jail cells) where they endured poor conditions and were sometimes abused and raped again (see Section 5). Although the law prohibits women in safe custody from being housed with criminals, in practice, no separate facilities existed. In 2002, the Government began transferring women in safe custody to vagrant homes or NGO-run shelters, where available.

Police occasionally employed excessive force in dealing with opposition demonstrators. For example, on December 13 police clubbed a procession near Muktaghon in Dhaka causing injuries to some procession participants.

Police corruption remained a problem, and there were credible reports that police facilitated or were involved in trafficking in women and children (see Section 6.f.). In 2002, the Law Commission, an independent body, recommended amendments to Section 54 to curb police abuse. None of the recommendations had been adopted by the end of the year. In an effort to curb police abuses, the High Court April 7 issued a 15-point directive to amend the CrPC by mid-October. At year's end, this had not happened (see Section 1.d.). Extortion from businesses and individuals by law enforcement personnel and persons with political backing was common, and businessmen on several occasions went on strikes to protest the extortion.

Human rights groups and press reports indicated that vigilantism against women for perceived moral transgressions occurred in rural areas, often under a fatwa (see Section 2.c.), and included punishments such as whipping. During the year, 36 fatwa cases occurred. In these cases, five persons were lashed and others faced punishments ranging from physical assault to shunning of families by their communities.

Rejected suitors, angry husbands, or those seeking revenge sometimes threw acid on a woman's face (see Section 5).

Prison conditions were extremely poor and were a contributing factor in some custodial deaths. During the year, 90 persons died in custody (see Section 1.a.). All prisons were overcrowded and lacked adequate facilities. Government figures indicated that the existing prison population of approximately 67,354 was nearly 300 percent of the official prison capacity of approximately 25,000. Prison population figures included 1,910 women. There were 276 persons in prison under 18 years of age. Of the entire prison population, 45,173 were awaiting trial, and 21,251 had been convicted. In most cases, cells were so crowded that prisoners slept in shifts. A new prison facility in Kashimpur, north of Dhaka, opened in 2001, although the first phase of construction had not been completed at year's end. There also were reports of rampant corruption and irregularities in the prisons. According to a 2002 newspaper report, a deputy inspector general (DIG) of prisons fled from Chittagong after receiving death threats because of his investigation of irregularities in the jail, where he confiscated two truckloads of unauthorized

materials, including knives and liquor, intended for criminals incarcerated there.

Juveniles were required by law to be detained separately from adults; however, due to a lack of facilities, in practice many were incarcerated with adult prisoners. A High Court in April directed the Government to house accused juveniles apart from other prisoners and to transfer them to correctional homes expeditiously. The court also directed the Government to include child rights organization representatives on the list of non-official jail visitors. Women were detained separately from men, but faced the same extremely poor conditions. Pretrial detainees were not held separately from convicted prisoners. In general, the Government did not permit prison visits by independent human rights monitors, including the International Committee of the Red Cross (ICRC). Government-appointed committees of prominent private citizens in each prison locality monitored prisons monthly, but did not release their findings. District judges occasionally also visited prisons, but rarely disclosed their findings.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution provides that each person arrested shall be informed of the grounds for detention, provided access to a lawyer of his or her choice, brought before a magistrate within 24 hours, and freed unless the magistrate authorizes continued detention. However, the Constitution specifically allows preventive detention, with specified safeguards, outside these requirements. In practice, authorities frequently violated these constitutional provisions, even in non-preventive detention cases.

The police force is organized nationally. Other security forces are charged with policing border areas and were asked to perform anti-crime drives. Police were often reluctant to investigate persons affiliated with the ruling party. The Government frequently used the police for political purposes and provided immunity to members of security forces. There was wide spread corruption and a severe lack of resources, training, and discipline. The Government established a battalion of better-equipped policemen, and developed some plans for overall police reform, but few concrete steps were taken to address the rampant problems.

The Government arrested and detained persons arbitrarily, as well as used national security legislation such as the SPA of 1974 to detain citizens without formal charges or specific complaints being filed against them. In an April 1999 ruling, a two-judge High Court panel criticized the police force for rampant abuse of detention laws and powers. There was no change in police methods since that ruling.

Under Section 54 of the CrPC (1898) and Section 86 of the Dhaka Metropolitan Police Ordinance (1976), individuals may be detained for suspicion of criminal activity without an order from a magistrate or a warrant. Some persons initially detained under Section 54 or 86 subsequently were charged with a crime, while others were released without any charge. According to Odhikar, a local human rights NGO, a total of 436 people were killed, approximately 6,281 people were injured, and 2,381 were arrested for political reasons (see Sections 1.a., 1.c, and 2.a.).

In January, 2 benches of the High Court Division of the Supreme Court declared 248 detentions illegal and ordered the release of the detainees. All the detained persons were arrested under Section 54 and were being held under the SPA. On April 7, the High Court issued a 15-point directive to the government to amend the CrPC within 6 months (from April 16). It included provisions such as making it illegal to hold someone under the SPA if he or she was arrested under Section 54, requiring the arresting officials to identify themselves to the arrestee, and allowing family or legal representatives to visit an individual being held under detention. In August, the Supreme Court accepted a government appeal of the directive, but ordered the Government to implement the April 7 judgment.

The Government frequently used Section 54 and 86 to harass and intimidate members of the political opposition and their families. Police sometimes detained opposition activists prior to and during demonstrations without citing any legal authority, holding them until the event was over. The large majority of detainees, however, were from the lowest end of the economic scale.

Under the SPA, the Government or a district magistrate may order a person detained for 30 days to prevent the commission of an act likely "to prejudice the security of the country." Other offenses subject to the SPA include smuggling, black market activity, or hoarding. The magistrate must inform the detainee of the grounds for detention within 15 days, and the Ministry of Home Affairs must agree with the grounds presented for detention within 30 days or release the detainee. The Government does not have to charge the detainee with a statutory crime. In practice, detainees sometimes were held for longer periods. Detainees may appeal their detention, and the Government may grant early release. During the year, the court ruled that the District Magistrate of Dhaka should be barred from signing any SPA detention orders and fined other District Magistrates for misusing the SPA.

An advisory board is supposed to examine the cases of SPA detainees after 4 months. In 2002, the High Court stated that the Government does not have the right to extend detention and that SPA detainees must be released after 30 days unless the advisory board recommends an extension. If the defendant in an SPA case is able to present his case before the High Court in Dhaka, the High Court generally ruled in favor of the defendant. However, many defendants either were too poor or, because of strict detention, were unable to obtain legal counsel and thereby moved the case beyond the magistrate level. Magistrates, subject to the administrative control of the Establishment Ministry, were less likely to dismiss a case (see Section 1.e.). Detainees are allowed to consult with lawyers, although usually not until a charge is filed; however, they are not entitled to be represented by a lawyer before an advisory board. Detainees may receive visitors. In the past, the Government has held incommunicado prominent prisoners for extended periods of time. There were no such reports during the year.

Historically, the vast majority of SPA detainees were released on orders from the High Court because the SPA cases were so weak and vague that the court had no alternative but to grant bail. In February 2002, police arrested under Section 54 10 leaders of the BCL near the residence of the AL president without warrant or charges. All were subsequently released, but detained again several times under new SPA detention orders or newly filed criminal cases, not under Section 54. In December 2002, the High Court declared illegal the detention under Section 54 of A.F.M. Bahauddin Nasim, personal assistant to Sheikh Hasina, and ordered his release. In August 2002, the High Court declared illegal the SPA detention of former State Minister Dr. Mohiuddin Khan Alamgir and ordered his release on bail.

During the year, the Government used Section 54 and the SPA to arrest and detain many opposition activists, including former MPs Haji Selim and Kamal Ahmed Mujumder, as well as AL leader and activist Sayeed Kokon, and former General Secretary of the BCL, Ashim Kumar Ukil. In 2002, Parliament rescinded the Public Safety Act (PSA) enacted by the AL Government in 2000. A week after the repeal of PSA, Parliament passed the Law and Order Disruption Crimes Speedy Trial Act (STA) to remain in force for 2 years if not extended. It contains a provision for the trial in special courts of those accused of certain crimes from 30 to 60 days after arrest. Unlike the PSA, the STA has a bail provision with mandatory recording of the grounds for granting bail. As a safeguard against misuse of the law, it provided punishment for bringing false charges with jail terms from 2 to 5 years. In June 2002, in response to a writ filed by Lalmonirhat Bar Association President Matiur Rahman, charged under the STA, the High Court requested the Government to explain why the STA should not be declared unconstitutional. The case remained pending in the High Court. In general, there were no allegations of widespread misuse of the STA.

A High Court ruling questioned the legality of Shariar Kabir's 2002 SPA detention involving a series of bomb explosions in Mymensingh cinema halls and directed the Government to pay compensation to Kabir as well as provide him with medical care. Kabir also was granted bail in December 2002 in connection with a case involving two foreign journalists associated with British TV. According to the CPJ, Kabir was released on January 7 (see Section 2.a.).

Some human rights groups expressed concern that the non-bailable period of detention was a tool for exacting personal vengeance. On July 6, the Government amended the CrPC to provide for deduction of the period an accused served in jail from the term of imprisonment ultimately decided by the court.

There were 713 foreign prisoners in jail awaiting repatriation during the year. Some foreign prisoners remained in prison after having served their term. In Dhaka City Jail, 19 foreign prisoners remained incarcerated after serving their term.

In June 2002, police arrested an 11-year-old boy and sent him to prison after a detained smuggler named the boy and other members of the boy's family as accomplices. The local chapter of a human rights organization filed a petition with the court to secure the boy's release. There were no developments in this case during the year. In a similar incident, a 14-year-old boy was released from prison in December after 2.5 years in custody. The child was arrested in a blanket sweep against criminals and was never charged with any offense.

In the past, the Government sometimes used serial detentions to prevent the release of political activists, but there were no reports of serial detention during the year.

It is difficult to estimate the total number of detentions for political reasons. Many activists were charged with crimes, and many criminals claimed to be political activists. Because of crowded court dockets and magistrates who were reluctant to challenge the Government, the judicial system did not deal effectively with criminal cases that may be political in origin. There was no independent body with the authority and ability to monitor detentions or to prevent, detect, or publicize cases of political harassment. Most such detentions appeared to last for several

days or weeks. Defendants in most cases receive bail but dismissal of wrongful charges or acquittal may take years.

A recent report claimed at least 155 people were held in Dhaka Central Jail without trial or bail for varying lengths of time, with 1 person being held for more than 11 years. A legal aid organization filed a writ with the High Court on this issue, and the court ordered the Government to provide names of these people and the reasons for their detention. At year's end, the matter was pending with the Home Ministry and the Attorney General's office.

The Constitution does not address exile; however, the Government did not use forced exile.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, under a longstanding "temporary" provision of the Constitution, the lower courts remained part of the executive and were subject to its influence. The higher levels of the judiciary displayed a significant degree of independence and often ruled against the Government in criminal, civil, and even politically controversial cases. However, there was corruption within the legal process, especially at lower levels.

Victims of police abuse were generally reluctant to file cases against the police, as there was no independent body charged with investigation of criminal allegations against members of the police force.

The court system has two levels: the lower courts and the Supreme Court. Both hear civil and criminal cases. The lower courts consist of magistrates, who are part of the executive branch of the Government, and session and district judges, who belong to the judicial branch.

In 2001, the Supreme Court reaffirmed a 1997 High Court order to separate the judiciary from the executive. The ruling declared which elements of the 1997 order could be implemented without constitutional amendment and ordered the Government to implement those elements within 8 weeks. On May 26, the Supreme Court granted the Government its 15th extension for implementation of its directives, and on November 18 extended the deadline by another 4 months. Law Minister Moudud Ahmed commented that implementation would take more than 6 to 7 years.

The Supreme Court is divided into two sections: the High Court and the Appellate Court. The High Court hears original cases and reviews cases from the lower courts. The Appellate Court has jurisdiction to hear appeals of judgments, decrees, orders, or sentences of the High Court. Rulings of the Appellate Court are binding on all other courts.

Due to the judicial system's million-case backlog, the Ministry of Law in 2001 initiated a pilot program offering Alternative Dispute Resolution (ADR) in some civil cases. Citizens have the opportunity for their cases to be mediated by persons with a background in law before filing their cases. According to government sources, wider use of mediation in civil cases has quickened the administration of justice. In February, the Government approved draft legislation, and in July, Parliament codified the use of ADR and extended its use to Sylhet and Chittagong.

The law provides the accused with the right to be represented by counsel, to review accusatory material, to call witnesses, and to appeal verdicts. Trials are public. State-funded defense attorneys rarely were provided, and there were few legal aid programs to offer financial assistance. Under the provisions of the PSA, STA, and the Women and Children Repression Prevention Act, special tribunals hear cases and issue verdicts. Cases under these laws must be investigated and tried within specific time limits, although the law is unclear regarding the disposition of the case if it is not finished before the time limit (see Section 1.d.).

A major problem of the court system was the overwhelming backlog of cases, and trials underway typically were marked by extended continuances while many accused persons remained in prison. These conditions and the corruption encountered in the judicial process effectively prevented many persons from obtaining a fair trial.

Transparency International estimated that more than 60 percent of the persons involved in court cases paid bribes to court officials.

The Government stated that it holds no political prisoners, but opposition parties and human rights monitors claimed that many political activists were arrested and convicted with criminal charges as a pretext for their political activities (see Section 1.d.). In March 2002, Home Minister Altaf Hossain Chowdhury said the Government had

released 11,706 persons in politically motivated cases since the BNP came to power in 2001. In April 2002, the SPA Repeal Law came into effect and gave the Government authority to determine which cases filed under the SPA law would be withdrawn and which ones would be pursued (see Section 1.d.). NGOs did not have access to prisoners.

There are no military courts or other military tribunals separate from the military court system. There were no reports of civilians appearing before the military court system.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires authorities to obtain a judicial warrant before entering a home; however, police rarely obtained warrants, and officers violating the procedure were not punished. In addition, the SPA permits searches without a warrant. The Government, on occasion, forcibly resettled persons. In March 2002, a High Court bench stayed, for 3 months, a Ministry of Housing and Public Works order to dismantle slums in the Amtali section of Dhaka, and ordered the Government to explain why it should not be directed to resettle the slum residents. On December 21, the Housing and Building Research Institute bulldozed a shantytown in Kalyanpur with over 20,000 residents. Human rights groups and the slum's residents claimed they were not properly notified before the eviction drive.

The police Special Branch, National Security Intelligence, and the Directorate General of Forces Intelligence (DGFI) employed informers to report on and conduct surveillance on citizens perceived to be political opponents of the Government. Political leaders, human rights activists, foreign NGOs, and journalists reported occasional harassment by these security organizations. In addition, foreign missionaries reported that internal security forces and others closely monitored their activities; however, no missionaries reported harassment during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government did not respect these rights in practice.

Individuals cannot criticize the Government publicly without fear of reprisal. The Government attempted to impede criticism by prohibiting or dispersing political gatherings.

As in past years, journalists pressed for repeal of the Official Secrets Act of 1923. According to the Act, a citizen must prove why he or she needs information before the Government will provide it. The Act protected corrupt government officials from public scrutiny and hindered transparency and accountability of the Government at all levels.

The hundreds of daily and weekly publications provided a forum for a wide range of views. While some publications supported the overall policies of the Government, most newspapers reported critically on government policies and activities. In addition to an official government-owned wire service, there was one private wire service affiliated with overseas ownership.

Despite this proliferation of news articles, Reporters Without Borders (RSF) stated that, "Armed rebel movements, militias or political parties constantly endanger the lives of journalists. The state fails to do all it could to protect them and fight the immunity very often enjoyed by those responsible for such violence."

Newspaper ownership and content were not subject to direct government restriction. However, the Government influenced journalists through financial means such as government advertising and allocations of newsprint imported at favorable tariff rates. The Government stated that it considered circulation of the newspapers, compliance with wage board standards, objectivity in reporting, and coverage of development activities as factors in allocating advertising. In the past, commercial firms often were reluctant to advertise in newspapers critical of the Government; however, this appeared no longer to be the case.

The Government owned and controlled virtually all radio and television stations with the exception of a few privately owned cable stations, such as Ekushey Television (ETV), ATN Bangla, Channel 2, NTV, and private broadcaster Radio Metrowave.

In August 2002, the Supreme Court, responding to a petition by two pro-BNP educators and a journalist, ordered



ETV, the only full-fledged broadcast television station in the private sector, to be closed down. This was based on alleged irregularities in its license. No appeals are possible from this court. However, petitions were filed concerning the shutting down of ETV's transmission and seizure of its equipment. These petitions were rejected by the High Court in September 2002. In May, ETV reapplied for license to operate, and on August 20, the High Court ordered the Bangladesh Telecom Regulatory Commission (BTRC) to take action on the ETV petition within 30 days, as well as to return the organization's seized assets. On appeal, the Government was granted a 3-month deadline to replace the original 30-day requirement.

The activities of the Prime Minister occupied the bulk of news bulletins on both television and radio, followed by the activities of members of the Cabinet. Opposition party news received little coverage. As a condition of operation, both private stations were required to broadcast without compensation government news programs and national addresses by both the Prime Minister and the President. In 2001, Parliament approved two bills granting autonomy to state-run Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio). Passage of these laws did not ensure real autonomy for them, and the Government had not implemented the laws. Government intrusion into the selection of news remained a pervasive problem.

Journalists and others were subject to incarceration when private parties filed criminal libel proceedings against them. Ruling party M.P.s filed separate criminal libel suits against several newspapers after articles were published that the politicians viewed as false and defamatory. The journalists in all cases received anticipatory bail from the courts, and none of the cases moved to trial. Sedition charges remained pending, and those persons accused remained on bail.

A human rights group stated that over the course of the year, 65 journalists had been injured, including 41 assaults. There had been 10 attempted killings of journalists, 90 had received death threats, 19 had been arrested, 14 had been the target of abusive lawsuits and prosecutions, and 5 had been abducted (see Section 1.a., 1.c., and 1.d.).

In a letter dated January 6 to the Prime Minister, the CPJ protested the detention of journalist Saleem Samad, charged under the SPA in late 2002 for "anti-state activities" after working with a documentary crew from Britain. Samad was ordered released by the High Court and was freed on January 18. According to the CPJ, Samad reported that while in detention his knees had been beaten repeatedly with a wooden baton when he denied police accusations. In the same letter to the PM, the CPJ protested the continued detention of Shahriar Kabir, charged also in the same case. According to the CPJ, Kabir was released on January 7 (see Section 1.d.). Also arrested from the British documentary crew in late 2002 were two British Television-affiliated foreign journalists, Zeba Naz Malik and Leopold Bruno Sorentino, and a citizen, Moniza Pricila Raj. The three, plus Samad, were charged with sedition, and the three were placed on 5-day remand. In a press briefing in December 2002, the Government stated that the two foreigners were held as NGO activists for their suspected involvement in "subversive" and "anti-state acts." On December 11, the two foreign journalists were deported after issuing statements expressing their regret for the incident. Raj was granted ad interim bail in December 2002, but remained in prison an additional 4 days.

In September, the CPJ also wrote to the Prime Minister in September to protest the arrest and alleged police beating August 8 of Hiramondol, a correspondent for the Dainik Probaratan, a journal published in Kulna. Police reportedly beat Mondol with hockey sticks and rifles after he wrote an article accusing police of stealing valuable fish from local fishermen. Mondol was charged with extortion under the STA. According to the Khulna Press Club, police later released Mondol.

On November 29, police arrested Salah Uddin Shoaib Choudhury, editor of the weekly Blitz, as he was departing the country en route to Israel to participate in a conference with the Hebrew Writers Association. According to the CPJ, Choudhury was accused of having links to Israeli intelligence (see Section 2.d.). Choudhury remained in police custody and no charges had been filed at year's end.

There were no developments in the 2002 assault of the Bengali-daily Jugantor's correspondent Monirul Haider Iqbal, who was assaulted allegedly because of his stories on the illegal occupation of shrimp fields by supporters of the ruling coalition. There also were no developments in the 2002 alleged kidnapping of Shukur Ali, a reporter with Anirban. In 2002, the Bengali-language daily Dainik Uttarbanga Barta's publishing license had been suspended but later was reinstated following the publication of an article that incorrectly listed the PM as the leader of the opposition.

In December 2002, Reuters released an article with a quote attributed to the Home Minister that stated the Mymensingh bombing attacks could be the work of Osama bin Laden's al-Qa'ida network and that the Home

Minister had ordered a national security alert. The Home Minister denied making the statement, and Reuters retracted the story. In December 2002, police arrested Reuters stringer Enamul Haque Chowdhury, charged him as the author of the article, and searched the Dhaka Reuters office. He was released from jail early in the year.

While some journalists were critical of the Government, most practiced some degree of self-censorship. Many journalists cited fear of possible harassment, retaliation, or physical harm as a reason to avoid sensitive stories. Government leaders, political party activists, and others frequently launched violent attacks on journalists and newspapers. Political parties and persons acting on their behalf conducted attacks both on media offices and on individual journalists targeted as a consequence of their news reporting. These crimes largely remained unsolved, and the perpetrators, often identified by name or party affiliation in press reports, were not held accountable in many cases. Attacks by political activists on journalists also were common during times of political street violence, and some journalists were injured in police actions.

Feminist author Taslima Nasreen remained abroad after being freed on bond while criminal charges were still pending against her for insulting religious (Muslim) beliefs. In October 2002, a court sentenced Nasreen in absentia to 1 year in jail for her "derogatory remarks about Islam" in a case filed in 1999 by a JI leader.

A government Film Censor Board reviews local and foreign films and has the authority to censor or ban them on the grounds of state security, law and order, religious sentiment, obscenity, foreign relations, defamation, or plagiarism. The Board did not ban any locally produced films during the year. The Board banned the screenings of several imported English-language movies for their alleged pornographic content. Video rental libraries provided a wide variety of films to their borrowers, and government efforts to enforce censorship on these rental films were sporadic and ineffectual. The Government banned the July 28 issue of Newsweek because of an article on a German academic's research into the origins of the Koran. According to RWB, authorities said the article on the Koran could "hurt the religious sentiments of the country's Muslims."

Foreign publications were subject to review and censorship. Censorship most often was used in cases of immodest or obscene photographs, perceived misrepresentation or defamation of Islam, and objectionable comments about national leaders.

The Government did not restrict citizens' access to the Internet.

The Government limited academic freedom. Although teachers and students at all levels largely were free to pursue academic assignments, research on sensitive religious and political topics was forbidden.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, subject to restrictions in the interest of public order and public health; however, the Government frequently limited this right. Section 144 of the CrPC allows the Government to ban assemblies of more than four persons. According to 1 human rights organization, the Government imposed 58 such bans during the year. The Government sometimes used bans to prohibit rallies for security reasons, but many independent observers believed that such explanations usually were a pretext. Supporters of the ruling party frequently scheduled their own rallies at the same venue and time, thus providing the Government a basis for imposing a ban.

Various political parties called numerous general strikes during the year. Party activists enforced these strikes through threatened or actual violence against strikebreakers. Party activists mounted processions during the strikes. There were 6 full-day and 5 half-day strikes nationwide, as well as numerous local ones during the year. Police rarely interfered with ruling party processions on such occasions, but police often worked in tandem with ruling party activists to disrupt and discourage opposition processions. Although surveys indicated a majority of citizens were opposed to the use of such strikes as a political weapon, all of the major parties continued to use them.

The Constitution provides for the right of every citizen to form associations, subject to "reasonable restrictions" in the interest of morality or public order, and the Government generally respected this right. Individuals were free to join private groups.

#### c. Freedom of Religion

The Constitution establishes Islam as the state religion and also stipulates the right--subject to law, public order,

and morality--to practice the religion of one's choice, and the Government generally respected this right in practice. Although the Government is secular, religion exerts a powerful influence on politics. The Government was sensitive to the Muslim consciousness of the majority (approximately 88 percent) of its citizens. It sometimes failed to protect minority groups, contributing to an atmosphere of impunity. Discrimination against members of the religious minority existed at both the governmental and societal level, but there was no clear evidence of government persecution, although religious minorities were disadvantaged in practice in such areas as access to government jobs and political office.

Religious organizations were not required to register with the Government; however, all NGOs, including religious organizations, were required to register with the NGO Affairs Bureau if they received foreign money for social development projects. The Government has the legal ability to cancel the registration of an NGO or to take other actions such as dissolving the executive committee of the NGO, freezing its bank accounts, or canceling projects. However, such powers rarely were used and did not affect NGOs with religious affiliations.

The Government allowed various religions to establish places of worship, to train clergy, to travel for religious purposes, and to maintain links with co-religionists abroad. The law permitted citizens to proselytize. However, strong social resistance to conversion from Islam meant that most missionary efforts by Christian groups were aimed at serving communities that had been Christian for several generations. Foreign missionaries were allowed to work in the country, but their right to proselytize is not protected by the Constitution. Some missionaries faced problems in obtaining visas or renewing visas, which must be renewed annually. Some foreign missionaries reported that internal security forces and others closely monitored their activities; however, no missionaries reported other government harassment during the year.

In 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. While the Court's intention was to end the extrajudicial enforcement of penalties by religious leaders, the 2001 ruling, which generated violent protests, declared all fatwas illegal (see Section 1.a.). Several weeks later, the Appellate Court stayed the High Court's ruling. No date was set for rehearing the issue. Only those muftis (religious scholars) who have expertise in Islamic law are authorized to declare a fatwa; however, in practice, village religious leaders sometimes made declarations on individual cases, calling the declaration a fatwa. Fatwas commonly dealt with marriage and divorce, or meted out punishments for perceived moral transgressions. Victims were sometimes lashed or shunned by their communities (see Section 1.c.).

Discrimination existed against Hindus and Christians. Many Hindus have been unable to recover landholdings lost since partition in 1947 because of discrimination in the application of the law, especially the Vested Property Act. In 2001, Parliament passed the Vested Property Return Act. This law required the Government to return land that was seized under the now-defunct Vested Property Act, a law that allowed "enemy" (in practice, Hindu) lands to be expropriated by the State. The Government was tasked to prepare a list of vested property holdings by October 2001, and claims were to have been filed within 90 days of the publication date. The Government had not published the list of vested properties by year's end.

In November 2002, the Parliament passed an amendment to the Vested Property Return Act allowing the Government unlimited time and the right to lease such properties until they are returned to their owners. The Government claimed that this provision would prevent the properties from being stolen.

Violence, including killings and injuries, occurred both before and after the 2001 election. There were reports of harassment of Hindus, including killings, rape, looting, and torture related to post-election violence. During the transition of power from the CG to the newly elected Government in 2001, BNP supporters raped at least 10 Hindu females in the island district of Bhola and looted several Hindu houses. On September 10, a Speedy Trial Tribunal in Barisal sentenced two persons to life in prison for the rape of one of these females. Incidents of rape and looting were also reported in the southwestern district of Bagerhat. The situation improved after representatives of the new Government visited the areas and deployed additional police to troubled locations. In February, an AL-backed Crime Against Humanity convention alleged "systematic persecution" of religious minorities, and called for the perpetrators of the persecutions to be brought to trial under local and international laws.

In late 2001, the High Court ordered the new Government to look into and report on attacks on religious minorities, and to demonstrate that it was taking adequate steps to protect minorities. The Government submitted its report later in 2002.

On November 19, 11 members of a Hindu family burned to death after arsonists set ablaze their home near the port city of Chittagong. The local human rights NGO Odhikar reported that the attack was not robbery, as police had initially claimed, but a planned assault on the family because of its Hindu faith. According to Odhikar, police

took 3 hours to respond. In a separate incident of communal violence on November 22, police stopped a mob of about 5,000 attempting to destroy an Ahmadi mosque in Dhaka. After the attack, police filed two cases for destruction of police property against several activists associated with a nearby mosque, and a senior police official condemned the attack and said that destruction of Ahmadi property was against the law. In December, Anti-Ahmadi activists killed a prominent Ahmadi leader in Jessore and announced a January 23, 2004 deadline for the Government to declare Ahmadis non-Muslims or face serious agitation.

The April 2002 killing of Ganojyoti Mohasthobir, a monk at a Buddhist temple and orphanage at Rauzan in Chittagong District, remained under investigation at the end of the year. A verdict was delivered in the 2001 killing of Principal Gopal Krishna Muhuri of Nazirhat College in Chittagong after police filed a case in November 2002. Four defendants were given life sentences and four were given death sentences.

Religious minorities were disadvantaged in access to government jobs and political office. Selection boards in the government services often lacked minority group representation.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

#### d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the right of free movement within the country, foreign travel, emigration, and repatriation. In practice, the Government generally respected these rights, allowing citizens to move freely within the country and to travel abroad, to emigrate, and to repatriate. There were, however, instances in which the Government restricted these rights. According to the CPJ, Salah Uddin Shoaib Choudhury, editor of the weekly *Blitz*, was arrested November 29 at the Dhaka airport. He was about to depart for Israel to participate in a conference of the Hebrew Writers Association (see Section 2.a.). The movement of major opposition political leaders was restricted occasionally, and the Government did little to assist them. The country's passports are invalid for travel to Israel.

Approximately 300,000 Bihari Muslims live in various camps throughout the country. They have been in the camps since 1971 awaiting settlement in Pakistan. Biharis are non-Bengali Muslims who emigrated to what formerly was East Pakistan during the 1947 partition of British India. Most supported Pakistan during the country's 1971 War of Independence. They later declined to accept citizenship and asked to be repatriated to Pakistan. The Government of Pakistan historically has been reluctant to accept the Biharis. On May 5, 10 Bangladesh-born Bihari residents of Geneva Camp were granted voting rights when the High Court declared them citizens.

Since 1992, approximately 236,000 Rohingya (Muslims from the northern Burmese state of Arakan) have been repatriated voluntarily to Burma. An additional 22,700 have left the camps and are living among the local citizens. More than 19,000 refugees remained in 2 camps administered by the Government in cooperation with the U.N. High Commissioner for Refugees (UNHCR). Beginning in 1999, the UNHCR has urged the Government to allow any refugees who could not return to Burma to be allowed to work in the country, benefit from local medical programs, and send their children to local schools. The Government continued to refuse these requests, insisting that all Rohingya refugees must remain in the camps until their return to Burma. Refugees were forced to return to Burma where they fear persecution. There was a pattern of abuse of refugees. There were also claims of discrimination from the local population towards the Rohingya.

The rate of refugee repatriation accelerated dramatically with 3,231 refugees being returned to Burma during the year.

The 100,000-plus Rohingya who entered the country since 1991 with no formal documentation lived in precarious circumstances outside the camps. The Government denied asylum to the new arrivals by categorizing them as illegal economic migrants and turned back as many persons as possible at the border. According to UNHCR, at least some of them were fleeing persecution and were entitled to refugee status. Some unregistered persons, many of them having returned illegally after their official repatriation to Burma, lived in the camps and shared food with relatives who received rations based on the number of registered members of the camps. On a number of occasions, camp officials handed some of the unregistered persons over to the police, who sent them to prison under the Foreigners' Act. There were approximately 70 Rohingya refugees in local prisons in the Cox's Bazar area during the year.

The Constitution does not provide for the granting of asylum and refugee status to persons who meet the definition in the 1951 U.S. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided protection against refoulement but did not routinely grant refugee or asylum status. The Government

granted temporary asylum to individual asylum seekers whom the UNHCR interviewed and recognized as refugees on a case-by-case basis. The Government also generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees. At the request of UNHCR, in 2002, the Government allowed approximately 125 refugees and asylum seekers, including non-Rohingya Burmese, Somalis, Iranians, and Sri Lankans, to remain in the country pending durable solutions such as voluntary repatriation or resettlement to other countries. The Government rejected asylum petitions from one Indian and four Burmese nationals who were released from prison in February 2002 (see Section 1.d.).

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

The country is a multiparty, parliamentary democracy in which elections by secret ballot are held on the basis of universal suffrage. M.P.s are elected at least every 5 years. The Parliament has 300 elected members. Party leaders appoint candidates for elections; some candidates allegedly "purchase" nomination from party leaders with generous campaign contributions or personal "gifts."

Under a 1996 constitutional amendment, general parliamentary elections are presided over by a caretaker government, led by the most recently retired Chief Justice of the Supreme Court. If he cannot or is unwilling to accept this responsibility, another senior retired justice or other neutral figure presides over the caretaker government. A 1999 High Court ruling affirmed the constitutionality of the amendment; however, on July 21, another bench of the High Court questioned that judgment, calling the caretaker government amendment unconstitutional. The case was referred to the Chief Justice to resolve the conflicting rulings and remained pending at year's end.

Sheikh Hasina, leader of the AL, was PM until Parliament's term of office expired in July 2001. At that time, a caretaker government was installed until the next PM took office in October, 2001. Domestic and international observers deemed the eighth general election held in 2001 to be generally free and fair, despite sporadic violence and isolated irregularities; post-election violence was widespread. The AL president alleged "crude rigging" in the election. However, she eventually was sworn in as an M.P. and was subsequently elected the Leader of the Opposition in Parliament.

Elections for more than 4,000 Union Parishads (Councils), the lowest tier of local government, were held between January 25 and March 16. Elections were generally peaceful and free in most places, although violence and deaths marred some locations. Police confirmed 15 deaths and 105 injuries due to election violence; however, journalist accounts put the figures at between 50 and 80 deaths. Over 80 percent of registered voters participated.

In 1991, the Constitution was amended to change the country from a presidential system to a parliamentary one. The changes stipulated that an M.P. who resigned from his party or voted against it in Parliament automatically lost his seat. In practice, this provision solidified the control of Parliament by the Government and the PM. The PM usually decides on major governmental policies, with little or no involvement by Parliament, often riven by narrow partisanship.

In 2001, the caretaker government passed the Representation of the People Amendment Ordinance that addressed much-needed election reform issues. The ordinance gave more independence to the Election Commission, and required political parties to keep records of campaign contributions and expenses. It also codified rules in polling places for election observers, both international and domestic.

A parliamentary by-election was held August 21 in a peaceful and generally orderly manner. Voter turnout was 63 percent. The AL rejected the outcome; a BNP alliance candidate won.

There were 7 women in the 300-seat Parliament. Women were free to stand for Parliament. In 2001, the AL and the BNP agreed in principle to add at least 60 exclusively women's seats to the existing 300 in Parliament. However, neither the BNP nor the AL introduced this provision during the year.

Minority groups did not hold seats specifically reserved for minority groups (Hindus, Christians, Buddhists, Animists), nor did the indigenous people of the Chittagong Hill Tracts. Members of minority groups constituted approximately 17 percent of the population but held less than 3 percent of the Parliamentary seats.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated independently and without Government restriction, investigating and publishing their findings on human rights cases. Prominent human rights NGOs included: Odhikar (Rights), Bangladesh Society for the Enforcement of Human Rights, Ain O Shalish Kendro (Law Mediation Center), Shishu Adhikar Forum (Civil Rights Forum), Adibashi Forum (Indigenous Peoples Forum), Bangladesh Rehabilitation Center for Trauma Victims (BRCT), and Naari Pokkho (On Women's Sides), Bangladesh Women Lawyers' Association, Bangladesh Mahila Parishad (Women's Council), and Justice and Peace Commission. While human rights groups were often sharply critical of the Government, they also practiced self-censorship, particularly on some politically sensitive cases and subjects.

Government officials were defensive about international criticism regarding human rights problems. However, the Government maintained a dialog on human rights issues with international organizations such as the U.N. Human Rights Commission and the ICRC; however, neither of these organizations visited the country during the year. Despite their election pledge and repeated public announcements, the Government did not enact legislation establishing an independent National Human Rights Commission. The previous government also failed to establish this commission despite repeated promises.

The Government took no action to appoint an ombudsman as announced in early 2002.

The Government pressured some individual human rights advocates by filing false allegations against them or by delaying reentry visas for international human rights activists. Missionaries who advocated on behalf of human rights faced similar problems. A few human rights activists reported harassment by the intelligence agencies.

In late 2002, the Government drafted a policy report regarding NGO operations inside the country, primarily aimed at restricting political activities by NGOs. Despite several statements of its impending release, the draft policy report was not released during the year.

#### Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution states "All citizens are equal before the law and are entitled to equal protection by the law;" however, in practice the Government did not strongly enforce laws aimed at eliminating discrimination. Women, children, minority groups, and persons with disabilities often confronted social and economic disadvantages. According to Human Rights Watch, considerable official and societal discrimination existed against those who provided HIV prevention services, and against high-risk groups likely to spread HIV/AIDS.

##### Women

Domestic violence was widespread, although violence against women was difficult to quantify because of unreliable statistics and societal inhibitions about reporting such violence. Much of the reported violence against women was related to disputes over dowries. According to human rights organizations, there were 261 dowry-related killings during the year. In addition, 23 women committed suicide and 85 women were tortured following disputes over dowries.

The law prohibits rape and physical spousal abuse, but it makes no specific provision for spousal rape as a crime. During the year, 1,336 rapes were reported. Prosecution of rapists was uneven. Many rapes were unreported. In some cases, rape victims committed suicide to escape the psychological aftermath, including social stigma.

Laws specifically prohibit certain forms of discrimination against women, including the Dowry Prohibition Act, the Cruelty to Women Law, and the Women and Children Repression Prevention Act (see Section 1.d.). However, enforcement of these laws was weak. The Women and Children Repression Prevention Act provides special procedures for persons accused of violence against women and children. The law calls for harsher penalties, provides compensation to victims, and requires action against investigating officers for negligence or willful failure in duty. An amendment to this act was passed on July 20, weakening provisions for dowry crimes and attempting to address the issue of suicide committed by female victims of acts of "dishonor." According to government sources, the Social Welfare Department runs 6 vagrant homes and 1 training center for destitute persons, with a total capacity of 2,300 individuals. In addition, the Women Affairs Department ran six shelters, one each in the six divisional headquarters, for abused women and children.

In May 2002, the Department opened a Safe Custody center in Dhaka. The Bangladesh National Women Lawyers' Association (BNWLA) also had two shelters in Dhaka, and other NGOs ran smaller facilities to provide shelter to destitute persons and distressed women and children. However, this was insufficient to meet victims' shelter needs. As a result, the Government often held women who filed rape complaints in "safe custody," usually in prison. Safe custody frequently resulted in further abuses against victims, discouraged the filing of complaints by other women, and often continued for extended periods during which women were unable to gain release (see Section 1.c.).

Incidents of vigilantism against women--sometimes led by religious leaders (i.e., via fatwas)--at times occurred, particularly in rural areas. These included punishments such as the whipping of women accused of moral offenses (see Section 2.c.).

Acid attacks were a concern. Assailants threw acid in the faces of women and a growing number of men, leaving victims horribly disfigured and often blind. Approximately 337 acid attacks occurred this year. Over one-half of the victims were female and one-third were children. The most common motivation for acid throwing attacks against women was revenge by a rejected suitor. Few perpetrators of the acid attacks were prosecuted. In March 2002, the Government enacted legislation to control the availability of acid and reduce acid violence directed towards women, but lack of awareness of the law and poor application limited its impact. The new Acid Crime Control Law provides for speedier prosecutions in special tribunals and generally does not allow bail.

There was extensive trafficking in women for the purpose of prostitution within the country and to other countries in Asia, and there were credible reports that police facilitated or were involved in trafficking (see Section 6.f.). Prostitution is legal for those over 18 years of age and with government certification.

Women remained in a subordinate position in society, and the Government did not act effectively to protect their basic rights. Literacy rates were approximately 29 percent for women, compared with 52 percent for men. In recent years, female school enrollment has improved. Approximately 50 percent of primary and secondary school students were female. Women often were ignorant of their rights because of continued high illiteracy rates and unequal educational opportunities. Strong social stigmas and lack of means to obtain legal assistance frequently kept women from seeking redress in the courts. Many NGOs operated programs to raise women's awareness of their rights, and to encourage and assist them in exercising those rights. The Government also expanded incentives for female education by making education free for girls up to grade 12 (approximately age 18) and using a stipend system from grades 6 to 12. By comparison, boys received free education up to grade five.

The Muslim Family Ordinance codifies traditional Islamic law concerning inheritance, marriage and divorce for registered marriages. Marriages in rural areas sometimes were not registered because of ignorance of the law.

Employment opportunities were greater for women than for men in the last decade, largely due to the growth of the export garment industry in Dhaka and Chittagong. Approximately 80 percent of the 1.4 million garment sector workers were women. Women worked in the agriculture, fisheries, and livestock sectors, as manual laborers on construction projects, and in general manufacturing. Programs extending micro-credit to rural women improved their economic power. Pay was generally comparable for men and women performing similar work.

A local human rights organization reported that 60 maidservants died from torture at the hands of their employers during the year, and an additional 27 were abused but did not die.

According to a Public Administration Reforms Commission report in 2000, women held only 12 percent of government jobs, and only 2 percent of senior positions. The government policy to include more women in government jobs had only limited effect. In recent years, approximately 15 percent of all recruits into government service were women.

## Children

The Government undertook programs in the areas of primary education, health, and nutrition. Many of these efforts were supplemented by local and foreign NGOs. These joint efforts allowed the country to make significant progress in improving health, nutrition, and education; however, slightly more than one-half of all children were still chronically malnourished.

According to human rights groups, 575 children were abducted, nearly 1,300 suffered unnatural deaths, and over 3,100 children fell victim to serious abuses such as rape, sexual harassment, torture, and acid attack during the year.

According to the 2002 report of the Campaign for Popular Education, more than 80 percent of children between the ages of 6 and 10 years were enrolled in school. Enrollment of boys and girls was roughly equal. Approximately 70 percent of all children completed grade 5. The Government provided effective incentives for rural female children between the ages of 12 and 16 years to remain in school.

Because of widespread poverty, many children were compelled to work at a very young age. This frequently resulted in abuse of children, mainly through mistreatment by employers during domestic service and occasionally included servitude and prostitution; this labor-related child abuse occurred at all levels of society and throughout the country (see Sections 6.c. and 6.d.). Sometimes children were seriously injured or killed in workplaces (see Section 6.d.). Reports from human rights monitors indicated that child abandonment, kidnapping, and trafficking continued to be serious and widespread problems. There was extensive trafficking of children, primarily to India, Pakistan, and destinations within the country, largely for the purpose of prostitution and forced labor (see Section 6.f.).

According to a 2002 report published by the Government news agency BSS, there were approximately 400,000 homeless children, of which as many as 150,000 had no knowledge of their parents.

UNICEF estimated that there were 10,000 child prostitutes working in the country, but other estimates placed the figure as high as 29,000. The minimum age requirement of 18 for legal prostitution commonly was ignored by authorities and circumvented by false statements of age. Procurers of minors rarely were prosecuted, and large numbers of child prostitutes worked in brothels.

Few facilities existed for children whose parents were incarcerated.

#### Persons with Disabilities

The law provides for equal treatment and freedom from discrimination for persons with disabilities; however, in practice, persons with disabilities faced social and economic discrimination. The Bangladesh Persons with Disability Welfare Act provides for equal rights for disabled persons. The act focuses on prevention of disability, treatment, education, rehabilitation and employment, transport accessibility and advocacy. For the first time, the Government appointed a few disabled persons to official positions during the year.

According to the National Forum of Organizations Working With the Disabled, an umbrella organization consisting of more than 80 NGOs working in various fields of disability, approximately 14 percent of the country's population had some form of disability. The economic condition of most families limited their ability to assist with the special needs of a person with disabilities, and superstition and fear of persons with disabilities sometimes resulted in their isolation.

Government facilities for treating persons with mental handicaps were inadequate. Several private initiatives existed in the areas of medical and vocational rehabilitation, as well as employment of persons with disabilities

#### Indigenous People

Tribal people have had a marginal ability to influence decisions concerning the use of their lands. The 1997 Chittagong Hill Tracts (CHT) Peace Accord ended 25 years of insurgency in the CHT, although law and order problems and accusations of human rights violations continued. The Land Commission that was to deal with land disputes between tribal individuals and Bengali settlers lacked a legal basis until 2001 and did not function effectively in addressing critical land disputes. Tribal leaders also expressed disappointment at the lack of progress in providing assistance to those who left the area during the insurgency.

Shantu Larma, the former insurgent leader, held talks with the PM in December, building upon several similar sessions in 2002, to discuss implementation of the Peace Accord, setting up of district courts in the three hill districts, and instituting ways to improve law and order. Nevertheless, since September there was an upsurge in violence in the CHT. According to the Red Cross/Red Crescent, more than 270 houses were burned to the ground, 3 Buddhist temples ransacked, 1 person killed, and 10 people wounded in early-September violence. The army quickly restored order, and the PM agreed to help the homeless victims.

Extortion and kidnapping for ransom were rampant in the CHT.

In 2001, three foreign engineers were abducted at gunpoint from a road in Rangamati District in the CHT. After



their release, one of the hostages told a newspaper reporter that an abductor had confided that the motive was more to obtain money for the benefit of the Chakama people than to make a political statement. Donor-assisted development activities in the CHT came to a halt following this incident.

In 2002, a mission comprising government representatives and donor agencies under the coordination of the United National Development Program carried out an 11-day assessment of the CHT security situation and the possibility of renewed development assistance. In its report, the mission said kidnappings and extortion of development workers had continued, mostly due to regional party conflicts and extortion rackets. The mission report further stated that the security situation throughout most of the region was good enough to resume development assistance. However, tribal and non-tribal differences, unresolved issues relating to land, elections, and the law and order situation all continued to create tension and the potential for conflict.

Tribal people in other areas also reported problems of loss of land to Bengali Muslims. In 2001, the Forestry Department inaugurated an eco-park on the lands inhabited by the predominantly Christian Khasi tribals in Moulvibazar. Although indigenous Khasis had lived on these lands for generations, the Government did not recognize their ownership. The Government claimed ownership and stated that the Khasis were occupying the land illegally. The Government did not undertake any activities to implement the eco-park project during the year, but the project has not been officially cancelled.

## Section 6 Worker Rights

### a. The Right of Association

The Constitution provides for the right to join unions and, with Government approval, the right to form a union; however, the Government did not always respect this right in practice. The total work force was approximately 58 million persons, of whom 1.8 million belonged to unions, most of which were affiliated with political parties. There were no reliable labor statistics for the large informal sector, in which the vast majority (75 to 80 percent) of citizens worked.

According to the law, a workplace must have 30 percent union participation for union registration. Would-be unionists technically are forbidden to engage in many activities prior to registration, and legally are not protected from employer retaliation during this period. Labor activists protested that this requirement severely restricted workers' rights to organize, particularly in small enterprises and the private sector, and the International Labor Organization (ILO) requested the Government to amend the 30 percent provision. The ILO also requested that the Government amend provisions that bar registration of a union composed of workers from different workplaces owned by different employers. An estimated 15 percent of the approximately 5,450 labor unions were affiliated with 25 officially registered National Trade Union (NTU) centers. There were also several unregistered NTUs.

Unions were highly politicized, and unions were strongest in state-owned enterprises and in such institutions as the government-run port in Chittagong. Civil Service and security force employees were forbidden to join unions because of their highly political character. Teachers in both the public and the private sector were not allowed to form trade unions.

The Registrar of Trade Unions may cancel registration of a union with the concurrence of the Labor Court, but no such actions were known to have taken place during the year. There were provisions in the Industrial Relations Ordinance for the immunity of registered unions or union officers from civil liability. Enforcement of these provisions was uneven. In past illegal work actions, such as transportation blockades, police officers arrested union members under the SPA or regular criminal codes.

There were no restrictions on affiliation with international labor organizations, and unions and federations maintained a variety of such links. Trade unionists were required to obtain government clearance to travel to ILO meetings, but there were no reports that clearances were denied during the year.

The ILO Committee of Experts Report on Freedom of Association noted in this year's report certain exclusions from the Industrial Relations Ordinance, restrictions regarding membership in unions and election of union officials, restrictions on activities of public servants' associations, restrictions on the right to organize and bargain collectively in export processing zones (EPZs), and restrictions on the right to strike. Regarding a 2002 complaint against the Government by the Bangladesh Diploma Nurses Association concerning alleged harassment and persecution of the Association's President and 10 members for trade union activities, the ILO's Committee on Freedom of Association requested the Government to ensure that Ms. Taposhi, the Association's President, be reinstated in her job and that the warnings to the other 10 members regarding trade union activities should be withdrawn from

their files. According to the International Confederation of Free Trade Unions (ICFTU), the High Court issued a stay order against Taposhi's dismissal, and she was reinstated in her job.

#### b. The Right to Organize and Bargain Collectively

Under the Industrial Relations Ordinance, there is considerable leeway for discrimination by employers against union members and organizers. In practice, private sector employers usually discouraged any union activity, sometimes working in collaboration with local police.

The Registrar of Trade Unions rules on discrimination complaints. In a number of cases, the Labor Court ordered the reinstatement of workers fired for union activities. However, the Labor Court's overall effectiveness was hampered by a serious case backlog. Alternative dispute resolution techniques began to be used to decrease the backlog.

Collective bargaining by workers is legal on the condition that unions legally registered as collective bargaining agents by the Registrar of Trade Unions represent them. Collective bargaining occurred occasionally in large private enterprises such as pharmaceuticals, jute, or textiles, but because of high unemployment, workers did not practice collective bargaining due to concerns over job security. Collective bargaining in small private enterprises generally did not occur. The ICFTU has criticized the country for what it viewed as legal impediments that hampered such bargaining.

The right to strike is not recognized specifically in the law, but strikes were a common form of workers' protest and are recognized as a legitimate avenue for addressing unresolved grievances in the Industrial Relations Ordinance of 1969. In addition, opposition political parties used general strikes to pressure the Government to meet political demands. Some employees organized in professional associations or unregistered unions went on strike during the year. Wildcat strikes were illegal but occurred, and wildcat strikes in the transportation sector were particularly common.

In November, police fired on and killed at least one and injured dozens of protesting garment workers at the Pantex Factory in Narayanganj. The workers, however, were not union members nor were they technically on strike. In October, police harassed and beat striking diploma nurses (see Section 6.a.).

The Essential Services Ordinance permits the Government to bar strikes for 3 months in any sector it declares essential. In May, the Ordinance was imposed on the Bangladesh Petroleum Corporation. During the year, the Government continued to impose the Ordinance, originally applied in 2002, to the Power Development Board, the Dhaka Electric Supply Authority, Bangladesh Biman Airline, and the Chittagong Port Authority.

During the year, the Government announced it would not allow collective bargaining authority in jute mills during production time. In the past, the Government had applied this ban to national airline pilots, water supply workers, and shipping employees. The ban may be renewed for 3-month periods. The Government is empowered to prohibit a strike or lockout at any time before or after the strike or lockout begins and to refer the dispute to the Labor Court.

Mechanisms for conciliation, arbitration, and labor court dispute resolution were established under the Industrial Relations Ordinance. Workers have the right to strike in the event of a failure to settle. If the strike lasts 30 days or longer, the Government may prohibit it and refer the dispute to the Labor Court for adjudication, although this has not happened in recent years. The ILO criticized the provisions of the Industrial Relations Ordinance that require three-quarters of a worker's organization to consent to a strike and that grant the Government authority to prohibit a strike at any time.

The country's five EPZ's are exempt from the application of the Employment of Labor (Standing Orders) Act, the Industrial Relations Ordinance, and the Factories Act, thereby excluding workers in the zones from protection for their rights to organize and bargain collectively, and from coverage by laws governing wages, hours, and safety and health standards. While substitutes for some of the provisions of these laws are implemented through EPZ regulations, unions for the 128,915 workers are prohibited in the zones.

In 2001, the ILO in 2001 deplored the lack of progress and discrepancies between legislation and certain ILO Conventions, including freedom of association and collective bargaining. During the year, the ILO Committee of Experts report noted that there were particular problems with voluntary bargaining in the private sector, a lack of legal protection against acts of interference, and a denial of protection against anti-union discrimination and the right to bargain collectively.

### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children; however, the Government did not enforce this prohibition effectively. The Factories Act and Shops and Establishments Act established inspection mechanisms to enforce laws against forced labor, but these laws were not enforced rigorously, partly because resources for enforcement were scarce. There was no bonded or forced labor in large-scale enterprises; nevertheless, numerous domestic servants, including many children, worked in conditions that resembled servitude and many suffered physical abuse, sometimes resulting in death. There continued to be numerous reports of violence against domestic workers. In the past, the Government brought criminal charges against employers who abused domestic servants. Many impoverished families settled instead for financial compensation. Trafficking of women and children was a problem (see Sections 5 and 6.f.).

### d. Status of Child Labor Practices and Minimum Age for Employment

Because of widespread poverty, many children began to work at a very young age. According to the Government's National Child Labor Survey published on November 19, the Government estimated that approximately 3.2 million children between the ages of 5 and 14 years worked. Working children were found in 200 different types of activities, of which 49 were regarded as harmful to children's physical and mental well-being. Sometimes children were seriously injured or killed in workplaces.

Children often worked alongside other family members in small-scale and subsistence agriculture. Hours usually were long, the pay was low, and the conditions were sometimes hazardous. Many children worked in the beedi (hand-rolled cigarette) industry, and children under 18 years sometimes worked in hazardous circumstances in the leather industry or the brick-breaking industry. Children routinely performed domestic work. In the past, the Government brought criminal charges against employers who abused domestic servants. Under the law, every child must attend school through the fifth grade, or the age of 10 years. However, there was no effective mechanism to enforce this provision.

There was virtually no enforcement of child labor law enforcement outside the export garment sector. Penalties for child labor violations were nominal fines ranging from about \$4 to \$10 (taka 228 to taka 570). The Ministry of Labor had fewer than 110 inspectors to monitor 180,000 registered factories and establishments. These inspectors were charged with enforcing labor laws pertaining to more than 1.5 million workers. Most child workers were employed in agriculture and other informal sectors, where no government oversight occurred.

The Bangladesh Garment Manufacturers' and Exporters Association (BGMEA) conducted self-inspection of member factories with the declared intention of eliminating child labor in the garment sector. According to their findings, within the 3,340 garment factories, the team found 71 factories employing a total of 155 children. According to the ICFTU, there was a significant reduction of child labor in the garment industry; while 43 percent of exporting factories used child labor in 1995, by 2001, the figure had fallen 5 percent to 38 percent. The BGMEA fined each factory about \$100 (taka 5,700). Former child employees were also offered a small monthly stipend to help replace their lost income while attending UNICEF-sponsored schools.

The Non-Formal Education Directorate of the Government, international organizations, and some NGO partners sponsored programs to provide education to some working children in urban slum areas around the country. The Government has been a member of ILO-IPEC since 1994. ILO-IPEC programs include a \$6 million project to eliminate the worst forms of child labor in 5 targeted industries: Beedi production, matchmaking, tanneries, construction, and child domestic workers. As of December, 19,874 children had been removed from hazardous work; 19,508 were attending non-formal education training; 7,623 had been admitted to formal schooling; and 3,060 were receiving pre-vocational training. Employers from 51 beedi and brick breaking industries have declared their sites "child labor free."

### e. Acceptable Conditions of Work

There was no national minimum wage. Instead, the Wage Commission, which convenes every several years, sets wages and benefits industry by industry, using a range based on skill level. In most cases, private sector employers ignored this wage structure. For example, in the garment industry, many factories did not pay legal minimum wages, and it was common for workers of smaller factories to experience delays in receiving their pay or to receive "trainee" wages well past the maximum 3 months. In 2001, according to the ICFTU, 21.7 percent of textile workers in the country earned the minimum wage. Wages in the EPZs were generally higher than outside the zones. The declared minimum monthly wage for a skilled industrial worker was approximately \$63 (taka 3,400) for a worker in an EPZ and approximately \$49 (taka 2,650) for a worker outside an EPZ. This was not sufficient to

provide a decent standard of living for a worker and family.

The law sets a standard 48-hour workweek with 1 day off mandated. A 60-hour workweek, inclusive of a maximum 12 hours of overtime, was allowed. The law was enforced poorly.

The Factories Act nominally sets occupational health and safety standards. The law is comprehensive but largely was ignored by employers. Workers may resort to legal action for enforcement of the law's provisions, but few cases actually were prosecuted. Enforcement by the Labor Ministry's industrial inspectors was weak, due both to the low number of labor inspectors, and to endemic corruption and inefficiency among inspectors. Due to a high unemployment rate and inadequate enforcement of the laws, workers demanding correction of dangerous working conditions or refusing to participate in perceived dangerous activities risked losing their jobs.

#### f. Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking was a serious problem. There was extensive trafficking in both women and children, primarily to India, Pakistan, and destinations within the country, mainly for the purpose of prostitution and in some instances for labor servitude. Some children also were trafficked to the Middle East to be used as camel jockeys. During the year, police made arrests for trafficking in young boys to the Middle East, and at year's end these cases were pending before the courts. In 2002, the Government of the United Arab Emirates made progress in stemming the trafficking of children to that country.

Trafficking in children for immoral or illegal purposes carries the death penalty or life imprisonment. However, few perpetrators were punished. Besides law enforcement agencies, a number of NGOs recovered and assisted victims of trafficking. The BNWLA rescued 61 trafficking victims, and 76 alleged traffickers were arrested and detained in prisons, and 16 traffickers were convicted during the year.

The number of persons arrested for trafficking was difficult to obtain as charges against traffickers usually were for lesser crimes, such as crossing borders without proper documents. A September 2002 newspaper report quoting statistics from the Center for Women and Children Studies (CWCS) said only 1 percent of trafficked children and 55 percent of kidnapped children were rescued between January 2000 and June 2002. According to CWCS, most trafficked boys were less than 10 years of age, while most trafficked girls were between 11 and 16 years of age.

The Government developed a set of policies and plans regarding the trafficking issue, and initiated a program across a number of ministries to address the problem. Arrests and prosecutions increased significantly, and the Government launched a major national anti-trafficking prevention campaign to increase awareness of the problem among vulnerable groups. Nevertheless, the Government's capacity to address this issue remained limited. Government projects included conducting awareness campaigns, research, lobbying, and rescue and rehabilitation programs. While the Government provided support for returning trafficking victims, government-run shelters were generally inadequate and poorly run.

A joint project between the Government and NORAD, the Norwegian Government aid organization, was a platform for developing a national strategy to address trafficking problems. Despite constraints such as lack of birth and marriage records at the village level, some trafficking cases were prosecuted. There was also some success in increasing shelter capacity and developing rehabilitation programs.

The exact number of women and children trafficked was unknown, but human rights monitors estimated that more than 20,000 women and children were trafficked annually from the country for the purpose of prostitution. Most trafficked persons were lured by promises of good jobs or marriage, and some were forced into involuntary servitude outside of the country. Parents sometimes willingly sent their children away to escape poverty. Unwed mothers, orphans, and others outside of the normal family support system were also susceptible. Traffickers living abroad often arrived in a village to "marry" a woman, only to dispose of her upon arrival in the destination country, where women were sold by their new "friends" or "husbands" into bonded labor, menial jobs, or prostitution. Criminal gangs conducted some of the trafficking. The border with India was loosely controlled, especially around Jessore and Benapole, making illegal border crossings easy.

The number of child prostitutes was difficult to determine. The minimum age of 18 for legal prostitution commonly was ignored by authorities, and was circumvented easily by false statements of age. Procurers of minors rarely were prosecuted, and large numbers of child prostitutes worked in brothels. Trafficking in women for purposes of prostitution carries a sentence varying from 10 years in prison to the death penalty. Human rights monitors credibly reported that police and local government officials often ignored trafficking in women and children for prostitution, and were easily bribed to look the other way (see Sections 1.c. and 5).

There were credible reports that police facilitated trafficking of women and children. When perpetrators were caught trafficking persons across the border, police involvement was low level, consisting primarily of falsifying documents with statements like "passport fraud" rather than "trafficking." Perpetrators ranged from organized criminals to employment agencies. The law stipulated a maximum sentence of life imprisonment for persons found guilty of trafficking a child into prostitution.

Many NGOs and community-based organizations were working on the trafficking problem through prevention efforts, research, data collection, documentation, advocacy, awareness creation and networking, crossborder collaboration, legal enforcement, and rescue, rehabilitation and legislative reform. For example, Action Against Trafficking and Sexual Exploitation of Children, a national anti-trafficking network, worked to link NGOs and government agencies by establishing a resource center to disseminate data and to provide technical support to grassroots organizations. The Association for Community Development conducted workshops and outreach programs to reach potential victims of trafficking before they were victimized. Over the past 3 years, because of the cooperation among NGOS and others involved, including the Government, a common, unified umbrella program has been established to address the trafficking problem.